

Calendar Date: 06/14/10

All corrections to notes on this calendar should be filed no later than 06/04/10.

Document filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

The Probate Examiners can be reached at ProbateNotes@sb-county.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE BRIAN D SAUNDERS

DATE: 06/14/10 TIME: 1:30 DEPT: S10P

CASE#: GAR SS1000059

CASE NAME: MTR RE ALEXUS K FAGIN ET AL(MASTER FILE)

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KAREN FAGIN	(GP)...PRO/PER
ALEXUS K FAGIN	(MIN)...
CASSIDY J FAGIN	(MIN)...
LUCY H FAGIN	(MIN)...
JOSEPH R FAGIN JR	(MIN)...
JOSEPH R FAGIN	(FAT)...PRO/PER

GENERAL INFORMATION

Temporary orders denied on 3/15/10 as no emergency

Continued from 4/12/10. Father, Joseph Fagin, Sr., present and objects. Court orders written objections to be filed prior to next hearing. Court refers matter to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by paternal grandmother, minors – Alexis (11), Cassidy (9), Lucille (8) and Joseph, Jr. (5)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file proof of personal service on mother.
2. Need to file proof of mailed service on maternal grandparents or due diligence declaration(s).

3. Due diligence declaration filed as to paternal grandfather indicating efforts to locate were unsuccessful. Due diligence declaration is dated "3- -10". Need actual date of verification. Does court wish to allow petitioner to interlineate date or file property due diligence declaration? JTD
4. Petitioner was previously appointed temporary guardian over all minors in case no. SGSS05584, however, it appears the matter was taken off calendar due to non-appearance. Does court wish to consolidate these files? JTD
5. **Written objections filed by father.**
6. **Court Investigator's report is filed indicating petitioner is withdrawing her petition**

RECOMMENDATION

Dismiss matter without prejudice.

(gls)

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE BRIAN D SAUNDERS

DATE: 06/14/10 TIME: 1:30 DEPT: S10P

CASE#: GAR SS1000115

CASE NAME: IN MTR RE ALEXIS A. MCCLAIN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BRANDY M MAHER (GP)...PRO/PER
ALEXIS A. MCCLAIN (MIN)...
ANGELIQUE A. MCCLAIN (MIN)...

GENERAL INFORMATION

Temporary orders denied on 05/17/10.

THIS CASE IS SET FOR HEARING ON Petition for guardianship person only by paternal aunt minors Alexis 9 and Angelique 7.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Need notice of hearing and proof of personal service or due diligence declaration for mother. Mother is incarcerated. Court could allow certified mail return receipt. Need declaration of hardship of personal service per Local Rule 20-1317.
2. Need notice of hearing and proof of personal service or due diligence declaration for father of Alexis. Daniel Rivas, father of Alexis, is incarcerated. Court could allow certified mail return receipt. Need declaration of hardship of personal service per Local Rule 20-1317.
3. Need notice of hearing and proof of personal service or due diligence declaration for father of Angelique. David Maher, father of Angelique, is incarcerated. Court could allow certified mail return receipt. Need declaration of hardship of personal service per Local Rule 20-1317.

4. Need notice of hearing and proof of mailed service or due diligence declaration for maternal grandparents, paternal grandparents of both minors and sibling Audrey (15).

RECOMMENDATION

Need notice.

(cbr)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE BRIAN D SAUNDERS

DATE: 06/14/10 TIME: 1:30 DEPT: S10P

CASE#: GAR SS1000116

CASE NAME: MTR RE STARR HARPER ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

PATSY LARA	(GP)...PRO/PER
STARR HARPER	(MIN)...
JASON HARPER	(MIN)...
SERENITY BOCANEGRA	(MIN)...
ANGELISE SOLIS	(MIN)...

GENERAL INFORMATION

Temporary orders granted on 05/18/10.

THIS CASE IS SET FOR HEARING ON Petition for guardianship person only by maternal grandmother minors Starr 8, Jason 6, Serenity 3 and Angelise 2.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Mother signed consent and wavier.
2. Need notice of hearing and proof of personal service or due diligence declaration for father of Starr and Jason (Jason Harper) and father of Serenity (Steven Bocanegra).
3. Father of Angelise appears to be deceased.
4. Need notice of hearing and proof of mailed service or due diligence declaration for paternal grandparents of Starr and Jason, paternal grandparents of Serenity, paternal grandparents of Angelise and maternal grandfather.
5. Court to see confidential screening form (tabbed). Need attachment.

6. Child Information Attachment is not submitted with petition. Need attachment for each minor in order to determine relatives, Indian decent etc.

RECOMMENDATION

Need to clear notes.

(cbr)

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE BRIAN D SAUNDERS

DATE: 06/14/10 TIME: 1:30 DEPT: S10P

CASE#: GAR SS1000125

CASE NAME: MTR RE MALIYAH SUMMERLIN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LA VINA GLENN-SUMMERLIN (GP)...PRO/PER
MALIYAH SUMMERLIN (MIN)...

No file available for review.

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE BRIAN D SAUNDERS

DATE: 06/14/10 TIME: 1:30 DEPT: S10P

CASE#: GAR SS1000126

CASE NAME: MTR RE CELESTE RODRIGUEZ ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DIANE RODRIGUEZ	(GP)...PRO/PER
EDMUNDO RODRIGUEZ	(GP)...PRO/PER
CELESTE RODRIGUEZ	(MIN)...
ANDREW RODRIGUEZ	(MIN)...

No file available for review.

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE BRIAN D SAUNDERS

DATE: 06/14/10 TIME: 1:30 DEPT: S10P

CASE#: GAR SS900369

CASE NAME: MCKYLE RAYMOND THOMAS FLORES

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:
JUNE FLORES (GE)...PRO/PER
MCKYLE RAYMOND THOM FLORES (MIN)...

No file available for review.

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS1000022

CASE NAME: MTR RE DESTINIE H CLARK

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

HOPE HENDERSON	(GP)...PRO/PER
DESTINIE H CLARK	(MIN)...
SYLVIA L BARTON	(MOT)...PRO/PER

GENERAL INFORMATION

Commissioner Daniel recuses herself.

Continued from 3/5/10 and 4/19/10. Referred to Court Investigator for investigation and report. The court also gives parties informal visitation schedule.

THIS CASE IS SET FOR HEARING ON Petition for guardianship person only by paternal aunt minor 4.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Mother served on 01/28/10.
2. Father signed waiver and consent.
3. Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) only reflects the minor's address from 06/09 (tabbed). Need residency information since birth as minor is under 5 years of age.
4. Section 6 of the Child Information Attachment is incomplete as to whether the child lives with Petitioner (tabbed). Need verified supplement.
5. Court Investigator report is filed (see tab on report for information).
6. **Objections filed by mother, Sylvia Barton.**

RECOMMENDATION

Need to clear notes and then Court's discretion.

Cbr/gls

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS1000054

CASE NAME: MTR RE LATASHA L FABRE

HEARING:

Hearing Re: DISMISSAL

COUNSEL:

RUDY L CARDENAS (GP)...PRO/PER
LATASHA L FABRE (MIN)...

GENERAL INFORMATION

Temporary orders granted on 03/02/10.

Continued from 3/29/10 and 4/26/10. No appearance and court sets this OSC re dismissal

THIS CASE IS SET FOR HEARING ON OSC re dismissal for failure to appear on Petition for guardianship person only by step-father minor 15 (prior calendar notes below)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Minor signed consent and waiver.
2. Mother has signed nomination, waiver and consent.
3. Proof of personal service is filed on father as to temporary guardianship. Need to file proof of personal service as to permanent.
4. Need notice of hearing and proof of mailed service or due diligence declaration for maternal grandparents, paternal grandparents and brother Michael.

5. Need new Indian Child Inquiry Attachment - ICWA-010(A) (mandatory Judicial Council form) even if there is no Native American history.

RECOMMENDATION

Need to clear notes.

Cbr/gls

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS1000074

CASE NAME: MTR RE CHRISTIAN ALFREDO HIRIATE

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARIA ELENA DELGADO (GP)...PRO/PER
CHRISTIAN ALFREDO HIRIARTE (MIN)...

GENERAL INFORMATION

Temporary orders granted 4/1/10

Continued from 4/26/10. Court refers matter to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandmother, minor 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Mother has signed nomination. Mother was present at hearing on temporary orders. Court can deem mother's appearance as waiver of notice.
2. Need to file due diligence declaration as to father as petitioner has stated whereabouts are unknown.
3. Need to file proof of mailed service to paternal grandparents or due diligence declaration(s).

RECOMMENDATION

Need notice and then Court's discretion.

(gls)

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS1000123

CASE NAME: MTR RE DANA REYENA GLENN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

AVA A FEATHERSTONE (GP)...PRO/PER
DANA REYENA GLENN (MIN)...

No file available for review.

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS1000124

CASE NAME: MTR RE HOLLY M BULLIS ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KATHLEEN M LININGER (GP)...PRO/PER
HOLLY M BULLIS (MIN)...
JEREMY J BULLIS (MIN)...

No file available for review.

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS800147

CASE NAME: RE JOSEPH JOHN HARROS JR, ALEXANDER JAMES HARROS

HEARING:

FIRST Account and Report of SUSAN ANN MORALES and Petition for allowance of fees filed.

COUNSEL:

JOSEPH JOHN HARROS JR (MIN)...
ALEXANDER JAMES HARROS (MIN)...
SUSAN ANN MORALES (GPE)...HORSPOOL & PARKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 5/19/08 – 4/30/10
2. Assets on hand: \$13,452.81 (cash) and the balance held in carry value of 1971 Chevy pick up
\$17,952.81 (cash) for minor Alexander
3. Petitioner waives fees for services as guardian during this accounting period.
4. Attorney requests fees of \$5,133.00. Billed at \$295/hour for 17.4 hours. Itemized. Said sum to be paid one-half (1/2) from each guardianship estate. JTD
5. The beginning balances of the accounting do not match the opening balance of the blocked bank account (a discrepancy of \$1.97 and \$1.47 respectively in each account). Court may wish to deem said amounts de minimus. JTD

6. Petitioner alleges that minor Joseph John Harros, Jr. turned 18 on 12/4/09 and by operation of law, the guardianship terminated. Petitioner requests that she be authorized to release the blocked account funds to him as well as title to the 1971 Chevy pick up truck, after payment of attorney's fees.
JTD

RECOMMENDATION

RFA subject to court's discretion re fees and note 5. If approved, set hearing on the next accounting review as to minor Alexander for **6/20/11**. Set hearing on filing receipt and final discharge as to minor Joseph for **12/10/10**.
(gls)

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS900030

CASE NAME: MTR RE DONOVIN J LOZOYA

HEARING:

Hearing Re: OSC RE:REMOVAL OF GUARDIAN

NIDIA LOZOYA	COUNSEL:
DONOVIN J LOZOYA	(GP)...PRO/PER
NORMA LOZOYA	(MIN)...LENITA A SKORETZ
	(TP)...ASCENT LAW GROUP

SEE ALSO #8

No file available for review.

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS900030

CASE NAME: MTR RE DONOVIN J LOZOYA

HEARING:

Hearing Re: OSC RE:REMOVAL OF GUARDIAN

NIDIA LOZOYA	COUNSEL:
DONOVIN J LOZOYA	(GP)...PRO/PER
NORMA LOZOYA	(MIN)...LENITA A SKORETZ
	(TP)...ASCENT LAW GROUP

SEE ALSO #7

No file available for review.

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS900064

CASE NAME: MTR RE JONATHAN DULUNA

HEARING:

Hearing Re: CLARIFICATION OF COURT ORDERS

COUNSEL:

ANA HARSHBERGER (GP)...PRO/PER
JONATHAN DELUNA (MIN)...

No notes – set 6/11/09 in response to correspondence from Carol Albrecht of DCS. See correspondence in confidential jacket of court's file. Subsequently, a Notice of No Report is filed by DCS on 7/16/09. **An updated report filed by DCS on 11/13/09. Court obtains phone numbers as requested. Need DCS report.**

Continued from 8/31/09, 10/19/09, 11/16/09, 1/4/10, 1/25/10, 2/22/10 and 4/12/10 at request of CI. On 8/31/09, Court refers matter to Court Investigator for investigation and report. Need CI report. It is not clear in the file if Court wishes two reports, one from Department of Children's Services and one from Court Investigator. Neither report is filed. JTD

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS900313
CASE NAME: MTR RE ZADEN JOSHUA WILLIAMS

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
ISA D LEWIS (GP)...PRO/PER
ZADEN JOSHUA LEWIS (MIN)...
TAMEKA WILLIAMS (MOT)...PRO/PER

GENERAL INFORMATION

Temporary Letters issued 10/5/09

Continued from 10/19/09, 11/2/09, 12/7/09, 1/11/10, 3/8/10 and 4/12/10. On 11/2/09, Court finds petitioner is the second cousin and refers matter to the Court Investigator.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by second maternal cousin, minor 11 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Mother was personally served on 9/27/09.
2. Due diligence declarations filed as to father and paternal grandparents indicating names/whereabouts are unknown. JTD
3. Need DCS report as petitioner is a too distant relative. **Still need report.**
4. Need Court Investigator's report.
5. Court may wish to review confidential screening form (tabbed).
6. **Objections filed by mother (Tameka Williams).**

RECOMMENDATION:

Need DCS and CI reports and then Court's discretion.
(gls)

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS900373
CASE NAME: MTR RE GABRIELLA A CERMENO

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
ARTHUR R HERNANDEZ (GP)...PRO/PER
ROBIN E SCHMIDLE (GP)...PRO/PER
GABRIELLA A CERMENO (MIN)...

GENERAL INFORMATION

Temporary orders granted on 11/12/09

Continued from 12/7/09, 1/11/10, 3/1/10 and 4/19/10 at request of DCS. Court also refers matter to Court Investigator.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by uncle (Arthur Hernandez) and non-relative (Robin Schmidle), minor 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Due diligence declaration filed as to mother indicating efforts to locate were unsuccessful. JTD
2. Due diligence declaration filed as to father indicating name/whereabouts unknown. Court may wish to dispense with notice to paternal grandparents too. JTD
3. Need to file proof of mailed service on maternal grandfather and Dept. of Children's Services (DCS) or due diligence declaration(s).
4. Need DCS report as co-petitioner is a non-relative. **Still need report.**
5. **Need Court Investigator's report**
6. Court may wish to review Confidential Screening form (tabbed).

RECOMMENDATION

Need notice, DCS and CI reports and then Court's discretion.
(gls)

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: GAR SS900399

CASE NAME: MTR RE KAIRA MIA BELLA BUTALA

HEARING:

Hearing Re: GUARDIANSHIP ORDER SHORTENING TIME

COUNSEL:

DIANE LAYMAN (GP)...PRO/PER
KAIRA MIA BELLA BUTALA (MIN)...
KACIA LAYMAN (MOT)...PRO/PER

GENERAL INFORMATION

Orders shortening time granted on 12/08/09.

Temporary orders granted on 12/14/09.

Continued from 12/31/09, 2/22/10, 3/1/10 and 4/19/10. On 3/1/10, Court refers to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for guardianship person only by maternal grandmother, minor 3.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Due diligence filed for father. JTD
2. Mother served on 12/12/09.
3. Declarations filed in support of guardianship attached (tabbed).
4. Need new Indian Child Inquiry Attachment - ICWA-010(A) (mandatory Judicial Council form) even if there is no Native American history. Petitioner indicates in petition that petitioner is not sure whether minor is of Indian Ancestry. Need form indicating an inquiry was made and any results.
5. Court to see confidential screening form (tabbed).

6. **Objection to guardianship filed by mother. Supporting declarations filed by other parties filed as well.**
7. **Need Court Investigator's report.**

RECOMMENDATION

Need to clear note 4 and Court Investigator's report.

(cbr/gls)

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: SG SS03524

CASE NAME: MTR OF DEVAN SPROUSE ET AL

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:	
ERIN FOSTER	(GP)...PRO/PER
JIM FOSTER	(GP)...PRO/PER
DEVAN SPROUSE	(MIN)...
RHYIN KOVALENKO	(MIN)...CARROLL M LAWSON
RAELYNN GIFFORD	(SG)...PRO/PER
STEVEN R GIFFORD	(SG)...PRO/PER

GENERAL INFORMATION
Temporary Letters issued 5/20/10

THIS CASE IS SET FOR HEARING ON Petition for Successor Guardianship, person only, by non-relatives (Raelynn Gifford and Steven Gifford), as to minor Devan (16) only. Current guardians will remain as guardians of minor Rhyin.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Due diligence declaration filed as to mother indicating efforts to locate were unsuccessful. JTD
2. Need to file proof of personal service as to father and current guardians.
3. The court previously dispensed with notice to minor, Devin, indicating minor had signed waiver and consent. However, need to file waiver and consent. Alternatively, need proof of personal service.

4. Need to file proof of mailed service on maternal grandparents, DCS and siblings 12 years and older or file due diligence declaration(s).
5. Need DCS report as petitioners are non-relatives.
6. Petitioner alleges minor may be a member of the Choctaw Indian Tribe.
7. Clerk of the Court will need to mail copies of the Notice of Child Custody Proceeding for Indian Child to the Bureau of Indian Affairs and to the San Carlos Apache Tribe with a copy of the petition, together with other required documents per Pr.C. §1460.2(5). Proofs of certified mail must be filed as required per Pr.C. §1460.2, as well as ten (10) day elapsing of receipt of the copy of the petition by the Indian Tribe.
5. Court must determine whether a response will be filed by the Indian Tribe or Bureau of Indian Affairs at the time of the review of the file. If a response is filed, the court must proceed as if the child is an Indian child and direct the appropriate individual or agency to provide active efforts under rule 5.484(c) to secure tribal membership for the child. If no response is filed within 60 days after receiving that notice, then the court may determine that the Indian Child Welfare Act does not apply to the proceedings, provided that the court must reverse its determination of the inapplicability of the act and must apply it prospectively if a tribe or the Bureau of Indian Affairs subsequently confirms that the child is an Indian child.
8. Need to file proof of mailed service to Court Investigator's.
9. Need Court Investigator's report per Pr.C. §1513(h).
10. Need ICWA-020 – "Parental Notification of Indian Status".

RECOMMENDATION

Need to clear notes.

(gls)

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: SG SS04574

CASE NAME: MTR RE DAMON JOE TRONCOSO ET AL

HEARING:

SECOND Account and Report of TRACY TRONCOSO and Petition for allowance of fees filed.

COUNSEL:

TRACY TRONCOSO (GE)...PRO/PER
DAMON JOE TRONCOSO (MIN)...
DARON GOMAZ COVIN (MIN)...

GENERAL INFORMATION

Continued from 4/5/10. Court sets aside first accounting and orders petitioner to file an first accounting for the period 12/12/05 – 7/31/08. Guardian states she will be attending the Guardianship Clinic to clear calendar notes.

THIS CASE IS SET FOR HEARING ON Second Account Current and Petition for its Settlement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. **Need to file first accounting for the period 12/12/05 – 7/31/08**
2. Second accounting covers period: 8/1/08 – 7/31/09.
3. Assets on hand at end of second acct: \$24,155.75 (cash).
4. Need to file notice of hearing and proof of service.
5. A second amended accounting is filed with the following concerns:
 - (a) Without a proper first accounting, it is difficult to verify if the starting/ending balances of the second accounting are accurate and

- the second accounting balances. Court may wish to trail this matter with the amended first accounting which needs to be filed.
- (b) The second amended accounting is not set forth on the mandatory Judicial Council forms. Court may wish to instruct guardian to utilize the mandatory forms for future accountings which can be printed from www.courtinfo.gov with a link to guardianship forms and then (GC-400/405, etc).
 - (c) There are two minors, and therefore, there should be two separate accountings, one for each minor's estate, as well as the fact that the funds should be set up 1/2 in an account for the benefit of each minor.
6. Notice of Hearing and proof of service is filed, however, need notice upon oldest minor (Damon -16), together with a copy of the account.

RECOMMENDATION

Need to clear notes

(gls/cbr/gls)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: SG SS04940

CASE NAME: MTTR OF ELISEO O.M. FRAUSTO

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

IRENE FRAUSTO (GP)...PRO/PER
ELISEO O. M. FRAUSTO (MIN)...
MARLENE FLORES (GP)...PRO/PER
MARIA FRAUSTO (MOT)...PRO/PER

GENERAL INFORMATION

Letters of Guardianship originally issued 8/8/05

Continued from 3/1/05 and 4/19/10 to clear calendar notes.

THIS CASE IS SET FOR HEARING ON Petition for Termination filed by mother, Maria Frausto, minor now 6

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner/mother alleges that she has a home is now able to care for minor.
Mother requests the guardianship be terminated.
2. Guardian has signed waiver and consent.

RECOMMENDATION

Court's discretion.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE RAYMOND L HAIGHT

DATE: 06/14/10 TIME: 8:30 DEPT: S11P

CASE#: SG SS05614

CASE NAME: MTR OF JADEN L.A.M CARTER

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ARTIE CARTER	(GP)...ROBERT S RODDICK
TERRY CARTER	(GP)...PRO/PER
JADEN L.A.M. CARTER	(MIN)...
FARRAH J NGUYEN	(MIN)...

GENERAL INFORMATION

Temporary orders denied on 1/28/10

Continued from 3/1/10 and 4/19/10. On 3/1/10, Court refers matter to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandparents, minors – Jaden (4) and Farrah (3)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Mother is deceased.
2. Father has filed written objections. Father alleges he has an active paternity action pending in this court.
3. Need Court Investigator's report.

RECOMMENDATION

Need Court Investigator's report and then court's discretion.
(gls)